

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
IN RE PHARMACEUTICAL INDUSTRY)	M.D.L. No. 1456
AVERAGE WHOLESALE PRICE)	Civil Action No. 01-12257-PBS
LITIGATION)	
_____)	
)	
THIS DOCUMENT RELATES TO ALL)	
CLASS ACTIONS)	
_____)	

CASE MANAGEMENT ORDER #16

November 21, 2005

Saris, U.S.D.J.

IT IS HEREBY ORDERED as follows:

1. Any amendment to the Second Amended Consolidated Class Action Complaint to add plaintiffs or proposed class representatives for claims against the Track Two Defendants shall be filed within 30 days of this Court's final order regarding class certification with respect to the Track One Defendants. Any amendment to add proposed class representatives shall allege facts demonstrating the typicality and adequacy of the new proposed class representatives.

2. Plaintiffs shall produce all documents supporting the claims of any new plaintiffs or proposed class representatives for claims against the Track Two Defendants.

3. Any depositions of new plaintiffs or proposed class representatives for claims against the Track Two Defendants shall be completed within 30 days of the date that any amendment

seeking to add such plaintiffs or proposed class representatives is held.

4. The parties' cross-motions to modify the Track Two discovery schedule are otherwise **DENIED**. However, Plaintiffs may focus discovery on the physician-administered drugs and defer discovery on the claims involving pills purchased from pharmacies pending any appeal of the Court's class certification order. The parties shall confer and submit a stipulation on discovery relating to any non-physician-administered drugs by December 2, 2005.

S/PATTI B. SARIS

United States District Judge